

Patrick D. McBurney, Jr.  
Attorney at Law  
6855 W. Clearwater Ave., Suite A103  
Kennewick, WA 99336  
Tel: (509) 374-8996  
Fax: (509) 374-1296

Hon. Whitman L. Holt  
Ch 7

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON**

|                        |   |                                 |
|------------------------|---|---------------------------------|
| In re:                 | ) |                                 |
|                        | ) |                                 |
| SOLEADOS ESTATES, LLC, | ) | <b>NO. 23-00196-WLH7</b>        |
|                        | ) |                                 |
| Debtor(s).             | ) | MOTION FOR CONTEMPT AND DAMAGES |
|                        | ) | FOR VIOLATIONS OF AUTOMATIC STA |
|                        | ) | WITH NOTICE THEREOF             |

**I. MOTION**

COMES NOW, Soleados Estates LLC, by and its attorney, Patrick D. McBurney, Jr., and  
attests and prays the Court as follows:

John Sullins is the owner of following entities that are in Bankruptcy:

Sullinair Jet Center, LLC, Cause No. 22-00933-WLH7;

Pasco FBO Partners, LLC, Cause No. 22-00934-WLH7; and

Soleados Estates, LLC, Cause No. 23-00196-WLH7.

Spartan Business Solutions, LLC is a creditor of Sullinair Jet Center, LLC, Cause No. 22-00933-WLH7 and Pasco FBO Partners, LLC, Cause No. 22-00934-WLH7. Mr. Sullins asserts that Soleados Estates was never debtor to Spartan Business Solutions.

Sullinair Jet Center, LLC, Cause No. 22-00933-WLH7 filed for bankruptcy on October 12, 2022; Pasco FBO Partners, LLC, Cause No. 22-00934-WLH7 filed for bankruptcy on October 12, 2022, and; Soleados Estates LLC, Cause No. 23-00196-WLH7 filed for Bankruptcy

MOTION FOR CONTEMPT AND  
DAMAGES WITH NOTICE THEREOF - 1

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1 on February 27, 2023.

2  
3 On November 17, 2022, Spartan Business solution obtained a default judgment against  
4 Sullinair Jet Center, LLC, Soleados Estates, LLC, Pasco FBO Partners, LLC; Asi Es La Vida,  
5 LCC; Capital Strategies and Developing, LLC, Rentalfleet, LLC and John A. Sullins in the  
6 Supreme Court of New York in Monroe County under Cause No, E2022008026.

7  
8 On or about March 13, 2023, Spartan Business Solutions filed their Foreign Judgment in  
9 King County Superior Court.

10  
11 On April 3, 2022, Spartan Business Solutions, sent a writ of Garnishment to Numerica  
12 CU, and records Subpoena to Numerica CU. The records Subpoena requests records for "John A.  
13 Sullins, Soleados Estates, LLC, Asi Es La Vida, LCC, and Capital Strategies & Developing,  
14 LLC, and RentalFleet, LLC, etc...

15  
16 Spartan Business Solutions hsd repeatedly made attempts to collect its debt against  
17 entities that are in bankruptcy and these collection efforts are "willful violations" of the stay as  
18 that term is used in 11 U.S.C. § 362(h), entitling the debtors to actual damages, including costs  
19 and attorney's fees, and punitive damages.

20  
21 Spartan Business Solutions, LLC obtained a judgment against Sullinair Jet Center, LLC,  
22 Cause No. 22-00933-WLH7; Pasco FBO Partners, LLC, Cause No. 22-00934-WLH7; and  
23 Soleados Estates, LLC, *et al*, on November 17, 2022. (See the Declaration of John A. Sullins  
24 which is on file with this court and herein incorporated by reference). On or about March 13,  
25 2022, Spartan Business Solutions filed a Notice and Declaration For Filing a Foreign Judgment  
26 (See the declaration of John A. Sullins). Subsequent to that, counsel for the debtor called Spartan  
27 Business Solutions, LLC's counsel to advise them that filing the foreign judgement was

28  
MOTION FOR CONTEMPT AND  
DAMAGES WITH NOTICE THEREOF - 2

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1 potentially a violation of the automatic stay. Counsel for the Spartan Business Solutions pointed  
2 out that John Sullins had not personally filed for bankruptcy, and they were not pursuing Pasco  
3 FBO Partners, LLC or Sullinair Jet Center, LLC (See the Declaration of John A. Sullins).

4  
5 On or about April 3, 2023, Spartan Business Solution, LLC filed an application for a Writ  
6 of Garnishment naming Sullinair Jet Center, LLC, Pasco, FBO Partners, LLC, and Soleados  
7 Estates, LLC as defendants. Spartan Business Solution, LLC also obtained a Writ of Garnishment  
8 naming Sullinair Jet Center, LLC, Pasco, FBO Partners, LLC, and Soleados Estates, LLC as  
9 defendants, and naming Numerica CU as the garnishee defendant. Numerica CU was also served  
10 a subpoena requesting records for Soleados Estates (See the declaration of John A. Sullins) for  
11 copies of all monthly statement for your customers John A. Sullins: Soleados Estates, LLC, Asi Es  
12 La Vida LLC; Capital Strategies & Developing, LLC, and Rentalfleet LLC.

13 Spartan Business Solutions, LLC violated the stay as follows:

- 14
- 15 1. November 17, 2022, Spartan Business Solutions, LLC took judgment against the  
16 debtor Sullinair Jet Center, LLC, the debtor in Cause No. 22-00933-WLH7.
  - 17
  - 18 2. November 17, 2022, Spartan Business Solutions, LLC took judgment against  
19 debtor Pasco FBO Partners, LLC, Cause No. 22-00934-WLH7 .
  - 20
  - 21 3. On or about March 13, 2022, Spartan Business Solutions, LLC filed a Notice and  
22 Declaration for Filing a Foreign Judgment against Sullinair Jet Center, LLC, the  
23 debtor in Cause No. 22-00933-WLH7.
  - 24
  - 25 4. On or about March 13, 2022, Spartan Business Solutions, LLC filed a Notice and  
26 Declaration for Filing a Foreign Judgment against Pasco FBO Partners, LLC,  
27 Cause No. 22-00934-WLH7.
  - 28

MOTION FOR CONTEMPT AND  
DAMAGES WITH NOTICE THEREOF - 3

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- 1           5.     On or about March 13, 2022, Spartan Business Solutions, LLC filed a Notice and  
2           Declaration for Filing a Foreign Judgment against Soleados Estates, LLC, Cause  
3           No. 23-00196-WLH7.  
4  
5           6.     On April 3, 2023, Spartan Business Solutions, LLC filed an application for a writ  
6           of garnishment against Sullinair Jet Center, LLC, the debtor in Cause No.  
7           22-00933-WLH7, Numerica CU is the garnishee defendant.  
8  
9           7.     On April 3, 2023, Spartan Business Solutions, LLC filed an application for a writ  
10          of garnishment against Pasco FBO Partners, LLC, the debtor in Cause No.  
11          22-00934-WLH7, Numerica CU is the garnishee defendant.  
12  
13          8.     On April 3, 2023, Spartan Business Solutions, LLC filed an application for a writ  
14          of garnishment against Soleados Estates, LLC, the debtor in Cause No. 23-00196-  
15          WLH7, Numerica CU is the garnishee defendant.  
16  
17          9.     On or about April 3, 2023, Spartan Business Solutions, LLC filed and served the  
18          writ of garnishment on John Sullins and Numerica CU, the garnishee defendant as  
19          to Sullinair Jet Center, LLC, the debtor in Cause No. 22-00933-WLH7.  
20  
21          10.    On or about April 3, 2023, Spartan Business Solutions, LLC filed and served a  
22          writ of garnishment on John Sullins and Numerica CU the garnishee defendant as  
23          to Pasco FBO Partners, LLC, Cause No. 22-00934-WLH7.  
24  
25          11.    On or about April 3, 2023, Spartan Business Solutions, LLC filed and served a  
26          writ of garnishment on John Sullins and Numerica CU the garnishee defendant as  
27          to Soleados Estates, LLC, Cause No. 23-00196-WLH7.  
28

MOTION FOR CONTEMPT AND  
DAMAGES WITH NOTICE THEREOF - 4

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ATTORNEY AT LAW

6855, W. Clearwater Ave., Suite A103, Kennewick, WA 99336  
TEL: (509) 374-8996 Fax: (509) 374-9966

1 12. On or about April 3, 2023, Spartan Business Solutions, LLC served a records  
2 subpoena upon Numerica CU naming Sullinair Jet Center, LLC as defendant, The  
3 records subpoena requested all monthly statements for John A. Sullins; Soleados  
4 Estates, LLC, Asi Es La Vida, LLC, Capital Strategies & Developing, LLC, and  
5 Rentalfleet, LLC.

6  
7 13. On or about April 3, 2023, Spartan Business Solutions, LLC served a records  
8 subpoena upon Numerica CU naming Pasco FBO Partners, LLC as defendant,  
9 The records subpoena requested all monthly statement for John A. Sullins;  
10 Soleados Estates, LLC Asi Es La Vida, LLC, Capital Strategies & Developing,  
11 LLC, and Rentalfleet, LLC.

12  
13 14. On or about April 3, 2023, Spartan Business Solutions, LLC served a records  
14 subpoena upon Numerica CU naming Soleados Estates, LLC as defendant, The  
15 records Subpoena requested all monthly statements for John A. Sullins; Soleados  
16 Estates, LLC, Asi Es La Vida, LLC, Capital Strategies & Developing, LLC, and  
17 Rentalfleet, LLC.

18  
19 15. The records subpoena served on April 3, 2023, by Spartan Business Solutions,  
20 names Sullinair Jet Center, LLC as defendant.

21  
22 16. The records subpoena served on April 3, 2023, by Spartan Business Solutions,  
23 names Pasco FBO Partners, LLC as defendant.

24  
25 17. The records subpoena served on April 3, 2023, by Spartan Business Solutions,  
26 names Soleados Estates, LLC as defendant.

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MOTION FOR CONTEMPT AND  
DAMAGES WITH NOTICE THEREOF - 5

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1 18. On or about April 3, 2023, Spartan Business Solutions, LLC served a records  
2 subpoena upon Numerica CU requesting all monthly statements for Soleados  
3 Estates, LLC.

4  
5 Each of the actions taken by Spartan Business Solutions, LLC, above are violations of  
6 the automatic stay

7  
8 WHEREFORE, the Debtors pray the Court for an order finding Spartan Business  
9 Solutions, in contempt of the Court, and awarding the Debtors judgment for damages in the  
10 following amounts:

11 \$6,000.00 to the bankruptcy estate of Sullinair Jet Center, LLC;  
12 \$6,000.00 to the bankruptcy estate of Pasco FBO Partners, LLC;  
13 \$6,000.00 to the estate of Soleados Estates, LLC for violations of the stay; and  
14 \$3,250.00 in attorney fees (see Declaration of John A. Sullins).

15 Dated: April 13, 2023.

16  
17 s/Patrick D. McBurney, Jr.  
Patrick D. McBurney, Jr. - WSBA # 22497  
18 Attorney for the Debtor

19 II. NOTICE

20 TO: Spartan Business Solutions, LLC

21 PLEASE TAKE NOTICE that the debtor, above named, has filed this motion to hold  
22 Spartan Business Solutions, in contempt of court and liable for damages for violation of the  
automatic stay of 11 U.S.C. § 362, on the grounds stated in the motion above.

23 IF YOU DISPUTE THIS MOTION you must file and serve an objection to the debtor's motion  
twenty-four (24) days from the date of this notice.

24 IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its discretion,  
25 ENTER AN ORDER FINDING YOU IN CONTEMPT AND IMPOSING SANCTIONS AS  
DELINEATED IN THE MOTION without further notice to you.

26 IF YOU OBJECT to the debtor's motion you must file and serve your written objections  
27 as follows:

28 MOTION FOR CONTEMPT AND  
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1. File the original objection with the Clerk of the Court, P.O. Box 2164, Spokane, WA 99201-2164; and
2. Serve a copy on Patrick D. McBurney, Jr., Attorney for the Debtor, 6855 W. Clearwater Ave., Suite A103, Kennewick, WA 99336; and
3. Serve a copy on Kevin O'Rourke, Chapter 7 Trustee, 421 W Riverside Avenue, Suite 960, Spokane WA 99201.

Dated: this April 13, 2023.

s/Patrick D. McBurney, Jr.  
Patrick D. McBurney, Jr., WSBA # 22497  
Attorney for the Debtor(s)

MOTION FOR CONTEMPT AND  
DAMAGES WITH NOTICE THEREOF - 7

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ATTORNEY AT LAW

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